

House File 2400 - Reprinted

HOUSE FILE 2400
BY COMMITTEE ON STATE
GOVERNMENT

(SUCCESSOR TO HSB 586)

(As Amended and Passed by the House March 12, 2012)

A BILL FOR

1 An Act relating to the policy administration of election and
2 voter registration laws by the secretary of state, including
3 changes to the definition of a general election, the voter
4 registration age, absentee voting, the provision of training
5 space for election personnel, the candidate nomination
6 filing requirements for merged area, school district, and
7 city elections, the filling of vacancies in city office,
8 and authorizing certain cities to conduct city elections by
9 absentee ballot, and including effective date provisions.
10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 39.3, subsection 7, Code 2011, is amended
2 to read as follows:

3 7. "*General election*" means the biennial election for
4 national or state officers, members of Congress and of the
5 general assembly, county and township officers, and for the
6 choice of other officers or the decision of questions as
7 provided by law and, where applicable, includes the regular
8 city election described in section 376.1.

9 Sec. 2. Section 44.4, subsection 1, Code 2011, is amended
10 to read as follows:

11 1. Nominations made pursuant to this chapter and chapter
12 45 which are required to be filed in the office of the state
13 commissioner shall be filed in that office not more than
14 ninety-nine days nor later than 5:00 p.m. on the eighty-first
15 day before the date of the general election to be held in
16 November. Nominations made for a special election called
17 pursuant to section 69.14 shall be filed by 5:00 p.m. not less
18 than twenty-five days before the date of an election called
19 upon at least forty days' notice and not less than fourteen
20 days before the date of an election called upon at least
21 eighteen days' notice. Nominations made for a special election
22 called pursuant to section 69.14A shall be filed by 5:00 p.m.
23 not less than twenty-five days before the date of the election.
24 Nominations made pursuant to this chapter and chapter 45 which
25 are required to be filed in the office of the commissioner
26 shall be filed in that office not more than ninety-two days
27 nor later than 5:00 p.m. on the sixty-ninth day before the
28 date of the general election. Nominations made pursuant to
29 this chapter or chapter 45 for city office shall be filed not
30 more than seventy-two days nor later than 5:00 p.m. on the
31 forty-seventh day before the city election with the ~~city clerk~~
32 county commissioner of elections responsible under section 47.2
33 for conducting elections held for the city, who shall process
34 them as provided by law.

35 Sec. 3. Section 44.4, subsection 2, paragraph a,

1 subparagraphs (2) and (3), Code 2011, are amended to read as
2 follows:

3 (2) Those filed with the commissioner, not less than
4 sixty-four days before the date of the election, except as
5 provided in subparagraph (3).

6 (3) Those filed with the ~~city clerk~~ commissioner for an
7 elective city office, at least forty-two days before the
8 regularly scheduled or special city election. However, for
9 those cities that may be required to hold a primary election,
10 at least sixty-three days before the regularly scheduled or
11 special city election.

12 Sec. 4. Section 44.7, Code 2011, is amended to read as
13 follows:

14 **44.7 Hearing before commissioner.**

15 Objections Except as otherwise provided in section 44.8,
16 objections filed with the commissioner shall be considered by
17 the county auditor, county treasurer, and county attorney, and
18 a majority decision shall be final; but if the objection is to
19 the certificate of nomination of one or more of the above named
20 county officers, the officer or officers objected to shall not
21 pass upon the objection, but their places shall be filled,
22 respectively, by the chairperson of the board of supervisors,
23 the sheriff, and the county recorder.

24 Sec. 5. Section 44.8, Code 2011, is amended to read as
25 follows:

26 **44.8 Hearing before mayor.**

27 1. Objections filed with the ~~city clerk~~ commissioner for
28 an elective city office shall be considered by the mayor and
29 clerk and one member of the council chosen by the council by
30 ballot, and a majority decision shall be final; but if the
31 objection is to the certificate of nomination of either of
32 those city officials, that official shall not pass upon ~~said~~
33 the objection, but the official's place shall be filled by a
34 member of the council against whom no such objection exists,
35 chosen as above provided.

1 2. The hearing shall be held within twenty-four hours of the
2 receipt of the objection if a primary election must be held for
3 the office sought by the candidate against whom the objection
4 has been filed.

5 Sec. 6. Section 44.9, subsections 2, 3, 5, and 6, Code 2011,
6 are amended to read as follows:

7 2. In the office of the proper commissioner, at least
8 sixty-four days before the date of the election, except as
9 otherwise provided in subsections 3, 5, and 6.

10 3. In the office of the proper ~~school board secretary~~
11 commissioner, at least thirty-five days before the day of a
12 regularly scheduled school election.

13 5. In the office of the proper commissioner ~~or school board~~
14 ~~secretary~~ in case of a special election to fill vacancies in an
15 elective school board office, at least twenty-five days before
16 the day of election.

17 6. In the office of the proper ~~city clerk~~ commissioner, at
18 least forty-two days before the regularly scheduled or special
19 city election. However, for those cities that may be required
20 to hold a primary election, at least sixty-three days before a
21 regularly scheduled or special city election.

22 Sec. 7. Section 44.11, Code 2011, is amended to read as
23 follows:

24 **44.11 Vacancies filled.**

25 If a candidate named under this chapter withdraws before the
26 deadline established in section 44.9, declines a nomination,
27 or dies before election day, or if a certificate of nomination
28 is held insufficient or inoperative by the officer with whom
29 it is required to be filed, or in case any objection made
30 to a certificate of nomination, or to the eligibility of any
31 candidate named in the certificate, is sustained by the board
32 appointed to determine such questions, the vacancy or vacancies
33 may be filled by the convention, or caucus, or in such manner
34 as such convention or caucus has previously provided. The
35 vacancy or vacancies shall be filled not less than seventy-four

1 days before the election in the case of nominations required to
2 be filed with the state commissioner, not less than sixty-four
3 days before the election in the case of nominations required
4 to be filed with the commissioner, not less than thirty-five
5 days before the election in the case of nominations required
6 to be filed in with the office of the school board secretary
7 commissioner for school board elections, and not less than
8 forty-two days before the election in the case of nominations
9 required to be filed with the ~~city clerk~~ commissioner for city
10 elections.

11 Sec. 8. Section 48A.5, subsection 2, paragraph c, Code 2011,
12 is amended to read as follows:

13 c. Be at least eighteen years of age. Completed
14 registration forms shall be accepted from registrants who
15 are at least seventeen ~~and one-half~~ years of age; ~~however~~.
16 However, the registration shall not be effective until the
17 registrant reaches the age of eighteen. The commissioner of
18 registration shall ensure that the birth date shown on the
19 registration form is at least seventeen ~~and one-half~~ years
20 earlier than the date the registration is processed. A
21 registrant who is at least seventeen ~~and one-half~~ years of age
22 and who will be eighteen by the date of a pending election is
23 a registered voter for the pending election for purposes of
24 chapter 53.

25 Sec. 9. Section 48A.14, subsection 1, paragraph b, Code
26 2011, is amended to read as follows:

27 b. The challenged registrant is less than seventeen ~~and~~
28 ~~one-half~~ years of age.

29 Sec. 10. Section 48A.23, subsection 1, Code 2011, is amended
30 to read as follows:

31 1. At least twice during each school year, the board of
32 directors of each school district operating a high school and
33 the authorities in charge of each accredited nonpublic school
34 shall offer the opportunity to register to vote to each student
35 who is at least seventeen ~~and one-half~~ years of age.

1 Sec. 11. Section 48A.26, subsection 9, Code 2011, is amended
2 to read as follows:

3 9. When a person who is at least seventeen ~~and one-half~~
4 years of age but less than eighteen years of age registers
5 to vote, the commissioner shall maintain a record of the
6 registration so as to clearly indicate that it will not take
7 effect until the registrant's eighteenth birthday and that the
8 person is registered and qualifies to vote at any election held
9 on or after that date.

10 Sec. 12. Section 48A.31, Code 2011, is amended to read as
11 follows:

12 **48A.31 Deceased persons record.**

13 The state registrar of vital statistics shall transmit
14 or cause to be transmitted to the state registrar of voters,
15 once each calendar quarter, a certified list of all persons
16 seventeen ~~and one-half~~ years of age and older in the state
17 whose deaths have been reported to the bureau of vital records
18 of the Iowa department of public health since the previous list
19 of decedents was certified to the state registrar of voters.
20 The list shall be submitted according to the specifications
21 of the state registrar of voters. The commissioner shall, in
22 the month following the end of a calendar quarter, run the
23 statewide voter registration system's matching program to
24 determine whether a listed decedent was registered to vote in
25 the county and shall immediately cancel the registration of any
26 person named on the list of decedents.

27 Sec. 13. Section 49.21, subsection 2, paragraph a, Code
28 2011, is amended to read as follows:

29 a. Upon the application of the commissioner, the authority
30 which has control of any buildings or grounds supported by
31 taxation under the laws of this state shall make available the
32 necessary space therein for the purpose of holding elections,
33 without charge for the use thereof. For a period of thirty days
34 prior to each scheduled election, and upon the application
35 of the commissioner, the authority shall also make such

1 buildings or grounds available for training courses related
2 to the election and offered by the commissioner for precinct
3 election officials and other election personnel. Training
4 courses scheduled and conducted pursuant to this paragraph
5 shall not interfere with previously scheduled events at
6 any such buildings or grounds. The commissioner shall only
7 schedule such training courses at buildings or grounds that are
8 accessible to and functional for persons with disabilities.

9 Sec. 14. Section 53.8, subsection 1, Code 2011, is amended
10 to read as follows:

11 1. Upon receipt of an application for an absentee ballot
12 meeting the requirements of section 53.2 and immediately after
13 the absentee ballots are printed but in no case sooner than
14 the fiftieth day before any election for an absentee ballot
15 to be mailed to a location within the United States, the
16 commissioner shall mail an absentee ballot to the applicant
17 within twenty-four hours, except as otherwise provided in
18 subsection 3. The absentee ballot shall be enclosed in an
19 unsealed envelope bearing a serial number and affidavit. The
20 absentee ballot and unsealed envelope shall be enclosed in or
21 with a return envelope marked postage paid which bears the same
22 serial number as the unsealed envelope. The absentee ballot,
23 unsealed envelope, and return envelope shall be enclosed in
24 a third envelope to be sent to the registered voter. If the
25 ballot cannot be folded so that all of the votes cast on the
26 ballot will be hidden, the commissioner shall also enclose a
27 secrecy envelope with the absentee ballot.

28 Sec. 15. Section 53.10, subsection 1, Code 2011, is amended
29 to read as follows:

30 1. Not more than forty days before the date of the primary
31 election or the general election, the commissioner shall
32 provide facilities for absentee voting in person at the
33 commissioner's office. This service shall also be provided for
34 other elections as soon as the ballots are ready, but in no
35 case shall absentee ballots be available for absentee voting in

1 person more than forty days before an election.

2 Sec. 16. Section 53.11, subsection 1, paragraph a, Code
3 2011, is amended to read as follows:

4 a. Satellite absentee voting stations may be established
5 no sooner than the fortieth day before an election throughout
6 the cities and county at the direction of the commissioner
7 and shall be established upon the commissioner's receipt
8 of a petition signed by not less than one hundred eligible
9 electors requesting that a satellite absentee voting station
10 be established at a location to be described on the petition
11 of the jurisdiction where the requested satellite absentee
12 voting station is located. However, if a special election
13 is scheduled in the county on a date that falls between
14 the date of the regular city election and the date of the
15 city runoff election, the commissioner is not required to
16 establish a satellite absentee voting station for the city
17 runoff election. The petition shall be on a form prescribed
18 by the state commissioner. The petition form shall include
19 a space to identify the location of the requested satellite
20 absentee voting station, the name, address, and telephone
21 contact information for the person circulating the petition,
22 and the name or number of the precinct in which the station is
23 requested to be located. The petition shall also include space
24 for the petitioner's signature, residential address, including
25 house number and street, date on which the petition is signed
26 by the petitioner, and a statement that the petitioners are
27 residents of the jurisdiction conducting the election for
28 which the satellite absentee voting station is requested.
29 The commissioner shall reject signatures on petitions if any
30 information required pursuant to this paragraph is not included
31 on the petition. Each petitioner is limited to signing one
32 satellite absentee voting station petition for each election.
33 Duplicate signatures on the same or subsequent satellite
34 absentee voting petitions for a particular election shall not
35 be counted. The commissioner shall post notice of petitions

1 received, including the location of the requested satellite
2 absentee voting station and the name or number of the precinct
3 in which the station is requested to be located, on the
4 county's internet site and at the commissioner's office.

5 Sec. 17. Section 53.11, subsection 1, Code 2011, is amended
6 by adding the following new paragraph:

7 NEW PARAGRAPH. c. Objections to a petition requesting
8 establishment of a satellite absentee voting station may be
9 filed with the commissioner no later than the second day
10 following the petition filing deadline set forth in subsection
11 2. When objections are filed, notice shall immediately be
12 given to the person identified on the petition as the person
13 circulating the petition. The notice shall be sent to the
14 address provided on the petition by such person, and the
15 notice shall include the time and place of the hearing at
16 which the objections will be considered. The hearing shall
17 be held not later than one week after the objection is filed.
18 The objection process in section 44.7 shall be followed for
19 objections filed pursuant to this section.

20 Sec. 18. Section 260C.15, subsection 3, Code 2011, is
21 amended to read as follows:

22 3. Nomination papers on behalf of candidates for member of
23 the board of directors of a merged area shall be filed with
24 the ~~secretary of the board~~ county commissioner of elections
25 responsible under section 47.2 for conducting elections held
26 for the merged area not earlier than sixty-four days nor later
27 than 5:00 p.m. on the fortieth day prior to the election at
28 which members of the board are to be elected. ~~On the day~~
29 ~~following~~ No later than the last day on which nomination
30 petitions can be filed, and no later than 5:00 p.m. on that
31 day, the secretary shall deliver ~~all nomination petitions so~~
32 ~~filed, together with~~ the text of any public measure being
33 submitted by the board of directors to the electorate, to the
34 county commissioner of elections who is responsible under
35 section 47.2 for conducting elections held for the merged area.

1 That commissioner shall certify the names of candidates, and
2 the text and summary of any public measure being submitted to
3 the electorate, to all county commissioners of elections in the
4 merged area by the thirty-fifth day prior to the election.

5 Sec. 19. Section 260C.15, subsection 4, paragraph b, Code
6 2011, is amended to read as follows:

7 *b.* The objection must be filed with the ~~secretary of the~~
8 board county commissioner of elections responsible under
9 section 47.2 for conducting elections held for the merged area
10 at least thirty-five days before the day of the election at
11 which members of the board are elected. When objections are
12 filed, notice shall immediately be given to the candidate
13 affected, addressed to the candidate's place of residence as
14 given on the candidate's affidavit, stating that objections
15 have been made to the legal sufficiency of the petition or to
16 the eligibility of the candidate, and also stating the time and
17 place the objections will be considered. The ~~board secretary~~
18 county commissioner shall also attempt to notify the candidate
19 by telephone if the candidate provided a telephone number on
20 the candidate's affidavit.

21 Sec. 20. Section 260C.15, Code 2011, is amended by adding
22 the following new subsection:

23 NEW SUBSECTION. 4A. A candidate nominated under this
24 section may withdraw the candidate's nomination by a written
25 request filed with the county commissioner of elections
26 responsible under section 47.2 for conducting elections held
27 for the merged area at least thirty-five days before the day of
28 the election at which members of the board are elected.

29 Sec. 21. Section 275.25, subsection 1, paragraph b, Code
30 2011, is amended to read as follows:

31 *b.* The election shall be conducted as provided in section
32 277.3, and nomination petitions shall be filed pursuant to
33 section 277.4, except as otherwise provided in this subsection.
34 Nomination petitions shall be filed with the ~~secretary of the~~
35 board of county commissioner of elections responsible under

1 section 47.2 for conducting elections held for the existing
2 school district in which the candidate resides not less than
3 twenty-eight days before the date set for the special school
4 election. ~~The secretary of the board~~ commissioner, or the
5 ~~secretary's~~ commissioner's designee, shall be present in the
6 ~~secretary's~~ commissioner's office until ~~five~~ 5:00 p.m. on the
7 final day to file the nomination papers. The nomination papers
8 shall be delivered to the commissioner no later than ~~five~~ 5:00
9 p.m. on the twenty-seventh day before the election.

10 Sec. 22. Section 277.4, subsections 1, 3, and 4, Code 2011,
11 are amended to read as follows:

12 1. Nomination papers for all candidates for election
13 to office in each school district shall be filed with the
14 ~~secretary of the school board~~ county commissioner of elections
15 responsible under section 47.2 for conducting elections held
16 for the school district not more than sixty-four days, nor less
17 than forty days before the election. Nomination petitions
18 shall be filed not later than 5:00 p.m. on the last day for
19 filing. ~~If the school board secretary is not readily available~~
20 ~~during normal office hours, the secretary may designate a~~
21 ~~full-time employee of the school district who is ordinarily~~
22 ~~available to accept nomination papers under this section.~~ On
23 the final date for filing nomination papers the office of the
24 ~~school secretary~~ county commissioner shall remain open until
25 5:00 p.m.

26 3. ~~The secretary of the school board~~ county commissioner
27 shall accept the petition for filing if on its face it appears
28 to have the requisite number of signatures and if it is timely
29 filed. ~~The secretary of the school board~~ county commissioner
30 shall note upon each petition and affidavit accepted for filing
31 the date and time that the petition was filed. The secretary
32 of the school board shall deliver ~~all nomination petitions,~~
33 ~~together with~~ the complete text of any public measure being
34 submitted by the board to the electorate, to the county
35 commissioner of elections ~~on the day following~~ no later than

1 the last day on which nomination petitions can be filed, and
2 not later than 5:00 p.m. on that day.

3 4. Any person on whose behalf nomination petitions have been
4 filed under this section may withdraw as a candidate by filing
5 a signed statement to that effect with the secretary county
6 commissioner of elections responsible under section 47.2 for
7 conducting elections held for the school district at any time
8 prior to 5:00 p.m. on the thirty-fifth day before the election.

9 Sec. 23. Section 277.5, Code 2011, is amended to read as
10 follows:

11 **277.5 Objections to nominations.**

12 1. Objections to the legal sufficiency of a nomination
13 petition or to the eligibility of a candidate may be filed by
14 any person who would have the right to vote for a candidate for
15 the office in question. The objection must be filed with the
16 ~~secretary of the school board~~ county commissioner of elections
17 responsible under section 47.2 for conducting elections held
18 for the school district at least thirty-five days before
19 the day of the school election. When objections are filed
20 notice shall forthwith be given to the candidate affected,
21 addressed to the candidate's place of residence as given on the
22 candidate's affidavit, stating that objections have been made
23 to the legal sufficiency of the petition or to the eligibility
24 of the candidate, and also stating the time and place the
25 objections will be considered.

26 2. Objections shall be considered not later than two working
27 days following the receipt of the objections by the president
28 of the school board, the secretary of the school board, and
29 one additional member of the school board chosen by ballot.
30 If objections have been filed to the nominations of either of
31 those school officials, that official shall not pass on the
32 objection. The official's place shall be filled by a member
33 of the school board against whom no objection exists. The
34 replacement shall be chosen by ballot.

35 Sec. 24. Section 280.9A, subsection 3, Code 2011, is amended

1 to read as follows:

2 3. At least twice during each school year, the board of
3 directors of each local public school district operating a
4 high school and the authorities in charge of each accredited
5 nonpublic school operating a high school shall offer the
6 opportunity to register to vote to each student who is at least
7 seventeen ~~and one-half~~ years of age, as required by section
8 48A.23.

9 Sec. 25. Section 372.13, subsection 2, paragraph a, Code
10 2011, is amended to read as follows:

11 a. (1) By appointment by the remaining members of the
12 council, except that if the remaining members do not constitute
13 a quorum of the full membership, paragraph "b" shall be
14 followed. The appointment shall be made within forty days
15 after the vacancy occurs and shall be for the period until the
16 next pending election as defined in section 69.12, and shall
17 be made within forty days after the vacancy occurs general
18 election for a city described in section 39.3, subsection 7, or
19 the regular city election described in section 376.1, unless
20 there is an intervening special election in that city, in which
21 event the election for the office shall be placed on the ballot
22 at such special election. If the council fails to make an
23 appointment within forty days as required by this subsection,
24 the city clerk shall give notice of the vacancy to the county
25 commissioner and the county commissioner shall call a special
26 election to fill the vacancy at the earliest practicable date
27 but no fewer than thirty-two days after the notice is received
28 by the county commissioner.

29 (2) If the council chooses to proceed under this paragraph,
30 it shall publish notice in the manner prescribed by section
31 362.3, stating that the council intends to fill the vacancy
32 by appointment but that the electors of the city or ward, as
33 the case may be, have the right to file a petition requiring
34 that the vacancy be filled by a special election. The council
35 may publish notice in advance if an elected official submits

1 a resignation to take effect at a future date. The council
2 may make an appointment to fill the vacancy after the notice
3 is published or after the vacancy occurs, whichever is later.
4 However, if within fourteen days after publication of the
5 notice or within fourteen days after the appointment is made,
6 there is filed with the city clerk a petition which requests a
7 special election to fill the vacancy, an appointment to fill
8 the vacancy is temporary and the council shall call a special
9 election to fill the vacancy permanently, under paragraph "b".
10 The number of signatures of eligible electors of a city for a
11 valid petition shall be determined as follows:

12 ~~(1)~~ (a) For a city with a population of ten thousand or
13 less, at least two hundred signatures or at least the number of
14 signatures equal to fifteen percent of the voters who voted for
15 candidates for the office at the preceding regular election at
16 which the office was on the ballot, whichever number is fewer.

17 ~~(2)~~ (b) For a city with a population of more than ten
18 thousand but not more than fifty thousand, at least one
19 thousand signatures or at least the number of signatures equal
20 to fifteen percent of the voters who voted for candidates for
21 the office at the preceding regular election at which the
22 office was on the ballot, whichever number is fewer.

23 ~~(3)~~ (c) For a city with a population of more than fifty
24 thousand, at least two thousand signatures or at least the
25 number of signatures equal to ten percent of the voters who
26 voted for candidates for the office at the preceding regular
27 election at which the office was on the ballot, whichever
28 number is fewer.

29 ~~(4)~~ (d) The minimum number of signatures for a valid
30 petition pursuant to subparagraphs (1) through (3) shall not
31 be fewer than ten. In determining the minimum number of
32 signatures required, if at the last preceding election more
33 than one position was to be filled for the office in which the
34 vacancy exists, the number of voters who voted for candidates
35 for the office shall be determined by dividing the total number

1 of votes cast for the office by the number of seats to be
2 filled.

3 Sec. 26. Section 376.1, Code 2011, is amended to read as
4 follows:

5 **376.1 City election held — absentee ballot elections**
6 **authorized.**

7 1. A city shall hold a regular city election on the first
8 Tuesday after the first Monday in November of each odd-numbered
9 year. A city shall hold regular, special, primary, or runoff
10 city elections as provided by state law.

11 2. The mayor or council shall give notice of any special
12 election to the county commissioner of elections. The county
13 commissioner of elections shall publish notice of any city
14 election and conduct the election pursuant to the provisions of
15 chapters 39 to 53, except as otherwise specifically provided
16 in chapters 362 to 392. The results of any election shall be
17 canvassed by the county board of supervisors and certified
18 by the county commissioner of elections to the mayor and the
19 council of the city for which the election is held.

20 3. a. The council of a city with a population of two
21 hundred or less according to the most recent federal decennial
22 census may adopt an ordinance providing that elections be
23 conducted by absentee ballot. If the city council adopts
24 such an ordinance, the clerk shall notify the commissioner
25 of elections of the adoption of the ordinance, and the
26 commissioner shall mail an absentee ballot application form
27 by forwardable mail to each registered voter within the city
28 who is on active status pursuant to section 48A.37 no fewer
29 than twenty-five days before each regular city election or
30 special election for the city. The commissioner shall also
31 enclose a postage paid return envelope and a notice in the form
32 prescribed by the state commissioner informing the voter that
33 voting in person on election day will also be available at the
34 commissioner's office during the time the polls are open. The
35 commissioner may designate one additional election day polling

1 site for a city that adopts an ordinance pursuant to this
2 subsection. The location of the additional polling site shall
3 be included in the notice to the voter.

4 b. The provisions of chapter 53, insofar as applicable,
5 shall apply to absentee ballot elections authorized under this
6 section.

7 Sec. 27. Section 376.4, subsection 1, paragraph a, Code
8 2011, is amended to read as follows:

9 a. An eligible elector of a city may become a candidate
10 for an elective city office by filing with the ~~city clerk~~
11 county commissioner of elections responsible under section 47.2
12 for conducting elections held for the city a valid petition
13 requesting that the elector's name be placed on the ballot
14 for that office. The petition must be filed not more than
15 seventy-one days and not less than forty-seven days before the
16 date of the election, and must be signed by eligible electors
17 equal in number to at least two percent of those who voted to
18 fill the same office at the last regular city election, but not
19 less than ten persons. However, for those cities which may be
20 required to hold a primary election, the petition must be filed
21 not more than eighty-five days and not less than sixty-eight
22 days before the date of the regular city election. Nomination
23 petitions shall be filed not later than 5:00 p.m. on the last
24 day for filing.

25 Sec. 28. Section 376.4, subsections 3, 4, and 5, Code 2011,
26 are amended to read as follows:

27 ~~3. If the city clerk is not readily available during normal~~
28 ~~office hours, the city clerk shall designate other employees or~~
29 ~~officials of the city who are ordinarily available to accept~~
30 ~~nomination papers under this section. On the final date for~~
31 filing nomination papers the office of the ~~city clerk~~ county
32 commissioner shall remain open until 5:00 p.m.

33 4. The ~~city clerk~~ county commissioner shall review each
34 petition and affidavit of candidacy for completeness following
35 the standards in section 45.5 and shall accept the petition

1 for filing if on its face it appears to have the requisite
2 number of signatures and if it is timely filed. The ~~city~~
3 ~~clerk~~ county commissioner shall note upon each petition and
4 affidavit accepted for filing the date and time that they were
5 filed. The ~~clerk~~ county commissioner shall return any rejected
6 nomination papers to the person on whose behalf the nomination
7 papers were filed.

8 5. Nomination papers filed with the ~~city-clerk~~ county
9 commissioner shall be available for public inspection.

10 6. The city clerk shall deliver ~~all nomination papers~~
11 ~~together with~~ the text of any public measure being submitted by
12 the city council to the electorate to the county commissioner
13 of elections ~~on the day following~~ no later than the last day
14 on which nomination petitions can be filed, and not later than
15 5:00 p.m. on that day.

16 Sec. 29. Section 602.8102, subsection 15, Code 2011, is
17 amended to read as follows:

18 15. Monthly, notify the county commissioner of registration
19 and the state registrar of voters of persons seventeen ~~and~~
20 ~~one-half~~ years of age and older who have been convicted of a
21 felony during the preceding calendar month or persons who at
22 any time during the preceding calendar month have been legally
23 declared to be a person who is incompetent to vote as that term
24 is defined in section 48A.2.

25 Sec. 30. REPEAL. Section 53.14, Code 2011, is repealed.

26 Sec. 31. EFFECTIVE DATE. The following provision or
27 provisions of this Act take effect January 1, 2014:

28 1. The section of this Act amending section 48A.5,
29 subsection 2.

30 2. The section of this Act amending section 48A.14,
31 subsection 1.

32 3. The section of this Act amending section 48A.23,
33 subsection 1.

34 4. The section of this Act amending section 48A.26,
35 subsection 9.

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1 5. The section of this Act amending section 48A.31.

2 6. The section of this Act amending section 280.9A,
3 subsection 3.

4 7. The section of this Act amending section 602.8102,
5 subsection 15.